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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TERRY L. STORY, )  
 )  
Defendant. )

No. CR 06-16 MHP

~~PROPOSED~~ ORDER AND STIPULATION  
EXCLUDING TIME FROM JANUARY 23,  
2006 TO FEBRUARY 27, 2006 FROM THE  
SPEEDY TRIAL ACT CALCULATION  
(18 U.S.C. § 3161(h)(8)(A))

The parties appeared before the Honorable Marilyn Hall Patel on January 23, 2006 and February 13, 2006. With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from January 23, 2006 to February 27, 2006. The parties agreed, and the Court found and held, as follows:

1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the recent production of discovery, the possibility that more discovery will be provided in the near future, and the expected filing of a motion to suppress on February 27, 2006.

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2. Given these circumstances, the Court found that the ends of justice served by excluding the period from January 23, 2006 to February 27, 2006, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

5. Accordingly, and with the consent of the defendant, the Court ordered that the period from January 23, 2006 to February 27, 2006, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. The Court scheduled a motion hearing date on April 3, 2006, at 11:00 a.m., which may be vacated and rescheduled for April 6, 2006 at 9:00 a.m. if the Court determines that an evidentiary hearing is required.

IT IS SO STIPULATED.

DATED: 2/14/06

/S/  
TRACIE L. BROWN  
Assistant United States Attorney

DATED: \_\_\_\_\_

/S/  
ELIZABETH FALK  
Attorney for TERRY L. STORY

IT IS SO ORDERED.

DATED: February 22, 2006

